MINUTES
BALDWIN PARK CITY COUNCIL REGULAR MEETING
SEPTEMBER 2, 2015, 7:00 P.M.
COUNCIL CHAMBER - 14403 E. Pacific Avenue, Baldwin Park, 91706

These minutes are presented in Agenda order. Various announcements or discussions may have occurred before or after the title under which they are presented.

CALL TO ORDER

The meeting was called to order by Mayor Lozano at 0:00 p.m.

INVOCATION

The invocation was provided by Councilmember Pacheco.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Lozano.

ROLL CALL

MEMBERS PRESENT:
Council Member Ricardo Pacheco
Council Member Monica Garcia
Council Member Susan Rubio
Mayor Pro Tem Cruz Baca
Mayor Manuel Lozano

REPORT ON CLOSED SESSION

Mayor Lozano stated that no reportable action was taken on items discussed during Closed Session.

ANNOUNCEMENTS

Mayo Pro Tem Baca asked that the meeting be closed in memory of Consuelo Arusco who passed recently; she extended her condolences to family and friends.

Councilmember Rubio commented on the results of the Customer Service Survey which was reviewed at the Special Meeting/Study Session and expressed appreciation to staff.

PROCLAMATIONS, COMMENDATIONS & PRESENTATIONS

- Oath and Affirmation of City Commissioners appointed or re-appointed to the Planning Commission and Personnel Commission, respectively, at the City Council Meeting of July 15, 2015.

  Mayor Lozano congratulated each of the appointed and re-appointed Commissioners following their recital of the Oath and Affirmation to their respective offices.

- Presentation of Certificate of Recognition to Ricky Marin, to honor his accomplishments in Judo and in representing the Mojica Judo Club.
A Certificate of Recognition was presented to Ricky Marin to recognize his accomplishments as a student of Judo and member of the Mojica Judo Club; received encouragement to continue to pursue his dream of competing as a member of the U.S. Olympic Judo Team.

- **Presentation of America's Job Center opening at the Baldwin Park Adult and Community Education Center**

  Chief Executive Officer Shannon Yauchzee narrated a PowerPoint presentation noting the various services that will be available to job seekers; commented on the prospects of expanding the service hours based demand; announced that the Center would have its official ribbon cutting ceremony on Thursday, September 17, 2015, and invited the community to attend.

**PUBLIC COMMUNICATIONS**

Mayor Lozano opened Public Communications at 7:25 p.m. and noted that each speaker is permitted a total of three (3) minutes to speak.

Lilian De Loza-Gutierrez, Community Relations Manager for San Gabriel Valley, Los Angeles County Metropolitan Transportation Authority (MTA), introduced herself and invited the Council and community to the Grand Opening of the El Monte Station Bike Hub, which will provide various services to bicyclists and bicycle storage for bike-commuters; announced that MTA will be holding a Ridership Forum on September 14, 2015, to encourage feedback and provide information to riders of the busses throughout the San Gabriel Valley.

Thomas Kerri, Riverside resident, commented on the increase of the contract value for on-call professional services which was discussed at the previous Council meeting; suggested that the funds should be used to provide body-cameras to police officers instead; commented on the suggested logo for the 60th Anniversary celebration, noting that the City Hub should be used; commented on issues related to the impounding of vehicles and the length of time the vehicles are held, pointing out that state law defines how long vehicles must be kept.

Art Luna, Baldwin Park resident, commented on Item No. 6 on this evening's agenda; commented on the recent issues regarding Royal Coach, which was discussed at the previous Council meeting; asked why City vehicles (not police vehicles) are being equipped with GPS, opining that it is a waste of money.

Gilbert Nabor Padilla, Baldwin Park resident, commented on the wide-spread power outage that occurred earlier the same day; expressed concern regarding the outage, noting that it could be hazardous to residents when the power is restored because it could cause surges and possibly worse; expressed great concern because residents were not informed of the power outage in advance and residents were not prepared.

Irma Munoz, Baldwin Park resident, spoke on behalf of the neighbors and parents with students attending De Anza school; read from a prepared letter that was presented to Council expressing objection to the Wayne Manor mental health facility project which would be adjacent to the school; voiced concern for the safety of students and children in the neighborhood since patients would be allowed to leave the premises without supervision.

Greg Tuttle, Baldwin Park business owner, commented on Item No. 6 on this evening's agenda; opined that the increase of the discretionary threshold for these contracts is unjustified; commented on late filing of FPPC forms by some Council members; commented on the Rules
of Conduct item which was presented at a previous Study Session, noting that some Councilmembers should not have objected to strongly and questions their ethics.

Margarita Vargas, Baldwin Park resident, commented on trash accumulating in some of the shopping centers; suggested that someone be contact to address the issue.

Juan Rios, Baldwin Park resident, commented on the requirement of ethics training and the pressure that is placed on staff when higher authority makes questionable demands; commented on staff changes that occurred a couple of years ago and inferred that it may have been a result of questionable conduct.

Carlos Lopez, Baldwin Park resident, announced his recent appointment to the Baldwin Park School Board and, as a board member, he has been very concerned regarding the issues surrounding the proposed Wayne Manor mental health facility; noted that, being disabled himself, he understand the need to provide the proposed services but echoed the concerns of residents and parents in that there is some risk to students in the area if this project were to go forward.

Seeing no others wishing to speak, Public Communications closed at 7:54 p.m.

CONSENT CALENDAR

*Mayor Lozano announced that Item No. 7, Consideration of Adoption of an Interim Urgency Ordinance of the City Council for the City of Baldwin Park Establishing a Moratorium on New or the Expansion of Existing Message Establishments (Urgency Ordinance), would be pulled from the Consent Calendar and placed under the Public Hearing portion of this evening's agenda.

The following items were held for discussion: Item Nos. 4, 6, 8 and 9.

1. WARRANTS AND DEMANDS
Staff recommends City Council ratify the attached Warrants and Demands Register.

A motion was made by Lozano, seconded by Pacheco, and carried (5 – 0) to ratify the Warrants and Demands Register.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

2. APPROVAL OF MEETING MINUTES
Receive and file:

A. Meeting Minutes of the Housing Authority, Finance Authority, Special and Regular City Council Meetings held on July 15, 2015.

B. Meeting Minutes of the Special and Regular City Council Meetings held on August 5, 2015.

A motion was made by Lozano, seconded by Pacheco, and carried (5 – 0) to receive and file the minutes.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
3. **CONDUCT A SECOND READING, BY TITLE ONLY AND WAIVE FURTHER READING, AND FOLLOWING SUCH READING, ADOPT ORDINANCE NO. 1374, ENTITLED “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK, CALIFORNIA, AMENDING BALDWIN PARK MUNICIPAL CODE CHAPTER 153.220 AND 153.120 TO ESTABLISH REGULATIONS FOR COTTAGE FOOD OPERATIONS.”**

Staff recommends that Council conduct a second reading, by title only, and waive further reading, and following such reading, adopt Ordinance No. 1374, entitled “An Ordinance of the City Council of the City of Baldwin Park, California, Amending Baldwin Park Municipal Code Chapter 153.220 and 153.120 to Establish Regulations for Cottage Food Operations."

A motion was made by Lozano, seconded by Pacheco, and carried (5 – 0) to approve and adopt Ordinance No. 1374, entitled “An Ordinance of the City Council of the City of Baldwin Park, California, Amending Baldwin Park Municipal Code Chapter 153.220 and 153.120 to Establish Regulations for Cottage Food Operations.”

| AYES:    | Lozano, Baca, Garcia, Rubio, Pacheco |
| NOES:    | None.                                |
| ABSENT:  | None.                                |
| ABSTAIN: | None.                                |

4. **INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK TO SET FORTH AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS AS REQUIRED BY GOVERNMENT CODE SECTION 65850.5**

Staff recommends that Council introduce for a first reading, by title only and waiving further reading, of Ordinance No. 1380, entitled “An Ordinance of The City Council of The City of Baldwin Park Adding Chapter 156, to Article XVI Relating to Expedited and Streamlined Permitting Procedures for Small Residential Solar Energy Systems.”

Mayor Pro Tem Baca asked for clarification as to the urgency of this ordinance.

Community Development Director Marc Castagnola explained that the purpose of this Ordinance is to bring the City’s Municipal Code in compliance with State statutes regarding the same matter.

A motion was made by Baca, seconded by Lozano, and carried (5 – 0) to approve for a second reading Ordinance No. 1380, entitled “An Ordinance of The City Council of The City of Baldwin Park Adding Chapter 156, to Article XVI Relating to Expedited and Streamlined Permitting Procedures for Small Residential Solar Energy Systems.”

| AYES:    | Lozano, Baca, Garcia, Rubio, Pacheco |
| NOES:    | None.                                |
| ABSENT:  | None.                                |
| ABSTAIN: | None.                                |
5. **CONDUCT A SECOND READING, BY TITLE ONLY AND WAIVE FURTHER READING, AND FOLLOWING SUCH READING, ADOPT ORDINANCE NO. 1376 OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK REQUIRING SPECIFIC FINDINGS BY THE CITY COUNCIL AND VOTER APPROVAL BY A SUPER MAJORITY BEFORE CONTRACTING OUT GENERAL POLICE SERVICES**

Staff recommends that Council conduct a second reading, by title only, and waive further reading, and following such reading, adopt Ordinance No. 1376, entitled “An Ordinance of the City Council of the City of Baldwin Park Requiring Specific Findings by the City Council and Voter Approval by a Super Majority Before Contracting Out General Police Services.”

A motion was made by Lozano, seconded by Pacheco, and carried (5 – 0) to approve and adopt Ordinance No. 1376, entitled “An Ordinance of the City Council of the City of Baldwin Park Requiring Specific Findings by the City Council and Voter Approval by a Super Majority Before Contracting Out General Police Services.”

**AYES:** Lozano, Baca, Garcia, Rubio, Pacheco

**NOES:** None.

**ABSENT:** None.

**ABSTAIN:** None.

6. **APPROVE AMENDMENTS TO GENERAL ON-CALL PROFESSIONAL SERVICES AGREEMENTS**

Staff recommends that Council approve and authorize the amendments to three General On-Call Professional Services Agreements.

Mayor Pro Tem Baca began discussion on this item, stating that there is concern regarding the significant increase to the discretionary threshold for this particular type of contract; pointed out that the proposed change would provide for discretionary approval of contract increases to an amount in excess of $100,000, noting that approval of spending at such a high level should be presented for Council approval.

Councilmember Rubio expressed concern regarding the proposed changes and objected to making such a dramatic change to the contract from the dais; opined that this action is unfair to Council as it circumvents scrutiny by Councilmembers at a time when finances are such a concern for the City; echoed Mayor Pro Tem’s concern regarding the approval of spending at such a level without Council approval.

Councilmember Pacheco explained that an RFQ had already been released and qualified firms were selected and represented with this item; noted that the reason for this action is to streamline the process and minimize lost time major projects.

Mayor Pro Tem Baca continued to object to the proposed contract language and requested that the item be brought back for approval after revisions to the contract have been done and Council has had a chance to review the contract before bringing it to action; stated that her major concern is maintaining a conservative approach.

Councilmember Garcia voiced her concern, concurring with Mayor Pro Tem with regard to the discretionary approval of funds but also noted her understanding the need to streamline the process; requested that perhaps quarterly reports could be provided to Council for review.

Councilmember Pacheco agreed as to this stipulation and made a motion to approve the item with the modification to all contracts whereby quarterly reports would have
to be provided to Council for review. Mayor Pro Tem Baca objected and, as a result, Mayor Lozano called for a Roll Call Vote.

A motion was made by Pacheco, seconded by Lozano, and carried (4 – 1; Baca Objecting) to approve and authorize the amendments to three General On-Call Professional Services Agreements with the modification to all contracts that quarterly reports would be required and those reports would be presented to Council for review.

AYES:       Lozano, Garcia, Rubio, Pacheco
NOES:       Baca
ABSENT:     None.
ABSTAIN:    None.

*7. CONSIDERATION OF ADOPTION OF AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF BALDWIN PARK ESTABLISHING A MORATORIUM ON NEW OR THE EXPANSION OF EXISTING MESSAGE ESTABLISHMENTS (URGENCY ORDINANCE)

Staff recommends that Council waive the full reading and adopt by title only the Ordinance No. 1378, entitled "An Interim Urgency Ordinance of the City of Baldwin Park, Declaring a Moratorium on the Establishment of New and Expansion of Existing Massage Establishments within the City of Baldwin Park, and Declaring the Urgency Thereof."

Prior to the consideration of the Consent Calendar, Mayor Lozano announced that this item would be removed from the Consent Calendar and heard as a Public Hearing Item. Because no Public Hearing items were scheduled for the evening, a heading does not appear on the agenda or this Minute transcript. Therefore, this item, while heard as a Public Hearing item, shall be listed under Consent as is.

Mayor Lozano opened the Public Hearing at 8:11 p.m. and invited those wishing to speak against in support of the proposed Ordinance.

Thomas Kerri, Riverside resident, spoke in support of the Ordinance, noting that it will help to mitigate illegal activities.

Mayor Lozano then invited those wishing to speak against of Ordinance to come forward.

Seeing no further interest, Mayor Lozano closed the Public Hearing at 8:12 p.m.

A motion was made by Baca, seconded by Lozano, and carried (5 – 0) to approve and adopt as an Urgency Ordinance, the Ordinance No. 1378, entitled "An Interim Urgency Ordinance of the City of Baldwin Park, Declaring a Moratorium on the Establishment of New and Expansion of Existing Massage Establishments within the City of Baldwin Park, and Declaring the Urgency Thereof."

AYES:       Lozano, Baca, Garcia, Rubio, Pacheco
NOES:       None.
ABSENT:     None.
ABSTAIN:    None.

8. APPROVE AND ADOPT RESOLUTION NO. 2015-092, ESTABLISHING A PREFERENTIAL PARKING ZONE IN THE 13500 BLOCK OF CORAK STREET

Staff recommends that Council approve and adopt Resolution No. 2015-092, entitled "A Resolution of the City Council of the City of Baldwin Park, Establishing a Preferential Parking Zone on the 13500 Block of Corak Street."
Mayor Pro Tem Baca noted that she has spoken to several residents in the area and concurs with their concerns regarding parking in the neighborhood; expressed her support for implementing permitted parking in the area.

A motion was made by Baca, seconded by Pacheco, and carried (5 – 0) to approve and adopt Resolution No. 2015-092, entitled "A Resolution of the City Council of the City of Baldwin Park, Establishing a Preferential Parking Zone on the 13500 Block of Corak Street."

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

9. APPROVE THE CONSULTING SERVICES AGREEMENT WITH PSOMAS, INC., FOR THE DESIGN OF THE SAN GABRIEL RIVER COMMUTER BIKEWAY

Staff recommends that Council approved the agreement with Psomas, Inc., to provide for the design of the San Gabriel River Commuter Bikeway, and authorize the Mayor to execute the agreement.

Councilmember Pacheco requested that this item be held over as he will be seeking additional information from Director Wall.

A motion was made by Pacheco, seconded by Lozano, and carried (5 – 0) to carry this item, the approval of the agreement with Psomas, Inc., to provide for the design of the San Gabriel River Commuter Bikeway, to a future meeting.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

10. APPROVE THE SUBSCRIPTION AGREEMENT WITH TELETRAC, INC., FOR GPS TRACKING SERVICE OF NON-POLICE VEHICLES

Staff recommends that Council approved the subscription agreement with Teletrac, Inc., for provide GPS tracking of non-police City vehicles and authorize the Director of Public Works to execute the necessary documents on behalf of the City.

A motion was made by Lozano, seconded by Pacheco, and carried (5 – 0) to approve the subscription agreement with Teletrac, Inc., for provide GPS tracking of non-police City vehicles and authorize the Director of Public Works to execute the necessary documents on behalf of the City.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

11. APPROVE AN AGREEMENT WITH CHRISTIANSEN AMUSEMENTS FOR CARNIVAL SERVICES

Staff recommends that Council approve the Agreement with Christiansen Amusements to provide carnival services and authorize the Mayor to execute the Agreement.
A motion was made by Lozano, seconded by Pacheco, and carried (5 – 0) to approve the Agreement with Christiansen Amusements to provide carnival services and authorize the Mayor to execute the Agreement.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

REPORTS OF OFFICERS

12. DIRECTION AND APPROVAL OF THE 60TH ANNIVERSARY LOGO AND MARKETING CAMPAIGN

Staff recommends that Council select and approve a logo for the 60th Anniversary and direct staff to proceed with the 60th Anniversary marketing campaign.

Recreation and Community Services Director Manuel Carrillo presented the five artist renderings of possible logos to be used for the marking of the City of Baldwin Park 60th Anniversary.

Discussion ensued as each Councilmember expressed their preferences for the logos; following discussion, Council chose Option A with the contingency that the lettering be larger and bolder.

A motion was made by Lozano, seconded by Rubio, and carried (5 – 0) to approve the selection of Option A, with the provision that the lettering will be larger/bolder, for the logo for the 60th Anniversary and direct staff to proceed with the 60th Anniversary marketing campaign.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

Subsequent to the selection of Option A, Council returned to this item for additional discussion. Council directed staff to return Option A to the artist for revision as noted above (bolder letters) and anniversary year added, and revise Option B to include the anniversary year, then bring back both options for Council consideration at a future meeting.

13. REVIEW OF CURRENT APPLICATIONS AND CONSIDERATION OF APPOINTMENT, REAPPOINTMENT, OR REMOVAL OF MEMBERS OF RECREATION AND COMMUNITY SERVICES COMMISSION, OR OTHER COMMISSIONS AS APPROPRIATE

Staff recommends that Council review the submitted Commission application(s), accept nomination(s), authorize staff to initiate the appropriate background checks through the Department of Justice (DOJ) and, contingent upon satisfactory clearance by the DOJ, appoint the selected individual(s) to the Parks and Community Services Commission and adopt Resolution No. 2015-087, entitled, "A Resolution of the City Council of the City of Baldwin Park Appointing an Individual to the Recreation and Community Services Commission of the City of Baldwin Park, to Office Number 2"

A motion was made by Pacheco, seconded by Lozano, and carried (5 – 0) to nominate and, contingent upon positive results of a background check, appoint Saul Barrientos to the Recreation and Community Services Commission of the City of Baldwin Park, to Office Number 2.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

At this time, Council entertained the application of Edwin Borques to the Personnel Commission, Office Number 4.

A motion was made by Lozano, seconded by Pacheco, and carried (5 – 0) to nominate and, contingent upon positive results of a background checks through the Department of Justice (DOJ) and, contingent upon satisfactory clearance by the DOJ, appoint the selected individual, Edwin Borques to the Personnel Commission of the City of Baldwin Park, Office Number 4.

AYES: Lozano, Baca, Garcia, Rubio, Pacheco
NOES: None.
ABSENT: None.
ABSTAIN: None.

CITY COUNCIL / CITY CLERK / CITY TREASURER / STAFF REQUESTS & COMMUNICATIONS

Mayor Lozano ask that Rafael Gonzales, retiring Librarian for the Baldwin Park Public Library, be recognized at the next Baldwin Park Street Market.

City Treasurer Maria Contreras extended appreciation to staff and community for support over the past few months with the passing of her parents; also wished her husband a happy birthday.

Mayor Lozano directed staff to create new signage for the street medians where the grass is turning brown to inform people of the efforts to save water; also directed staff to include information regarding the "Brown is the New Green" campaign which encourages water conservation.

Councilmember Garcia asked that staff prepare and provide a staff report at a future Council meeting which will provide a status of the property on Merced, pointing out that it has become blighted and the building has become an eye sore.

Councilmember Pacheco asked that staff work closely with Waste Management to remove large items which have been discarded; requested that Code Enforcement step up their patrols to address those properties that are not being maintained.

Mayor Lozano announced that he would not be attending the next meeting as he will be in Washington, D.C., representing Baldwin Park’s Healthy Living Program.

ADJOURNMENT
There being no other business to discuss, and all other matters having been addressed, a motion was made by Lozano, seconded by Pacheco, to adjourn the meeting at 8:32 p.m.

ATTEST: 
Alejandra Avila, City Clerk

APPROVED: 10/7/15